

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. RPU-02-3 (TF-02-127) (TF-02-128)
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**ORDER DOCKETING TARIFFS, ESTABLISHING PROCEDURAL  
SCHEDULE, AND GRANTING INTERVENTIONS**

(Issued April 26, 2002)

On March 29, 2002, Interstate Light and Power Company (Interstate Power) filed with the Utilities Board (Board) proposed electric tariffs, identified as TF-02-127 and TF-02-128. In TF-02-127, Interstate Power proposed a temporary increase in electric rates that would produce additional revenue of approximately \$22.4 million. In TF-02-128, Interstate Power proposed a permanent annual revenue increase of approximately \$82 million, or 9.6 percent, over current electric rates. To allow the Board time to fully consider the proposed increase, the tariffs will be docketed as a formal proceeding identified as Docket No. RPU-02-3.

Subparagraphs 199 IAC 7.4(6)"e"(6) and (16) provide that Interstate Power include in the initial filing copies of its 2001 tax returns. Interstate Power will be required to provide this information as soon as it is available.

The Lee County Governmental Group (Lee County) filed a petition to intervene on April 15, 2002. Lee County alleges that Interstate Power's rate case will impact costs both to governmental units and to their citizens. Deere & Company (Deere)

filed a petition to intervene on April 22, 2002. Deere is a large industrial customer with large facilities in two of Interstate Power's rate zones. The Community Coalition for Rate Fairness (Community Coalition) filed a petition to intervene on April 18, 2002. Members of this coalition include some of Interstate Power's largest customers. Each petition alleged sufficient interests that are currently not represented in the proceedings. The Board will grant the petitions to intervene.

On April 15, 2002, Interstate Power filed an application for authority pursuant to Iowa Code § 476.6(10) to file a separate proceeding for consideration of issues relating to a class cost-of-service study, rate design, and rate rebalancing. On April 18, 2002, the Community Coalition filed an objection, request for rejection, and alternative request for docketing with conditions. Community Coalition's filing requested, among other things, that Interstate Power's application for general and temporary rate relief be rejected without prejudice for failure to comply with Board rules. The filing also contained a tentative response to Interstate Power's April 15, 2002, filing.

The Board will rule on Interstate Power's April 15, 2002, filing and the requests in Community Coalition's April 18, 2002, filing concerning issues other than intervention in a subsequent order or orders. This will allow all interested persons time to respond to the filings within the time frames provided for in the Board's rules. Docketing the filing is merely a ministerial act to assign the filing a formal docket number and to suspend the proposed tariffs. Docketing does not impact the Board's authority to order the relief requested in the two filings.

While the Board could have delayed setting a procedural schedule, one is being set so that parties can plan their schedules. In addition, depending on the Board's rulings on the filings, delay in setting a schedule negatively impacts the Board's ability to complete Docket No. RPU-02-3 within the statutory ten-month deadline. If appropriate, the procedural schedule can be subsequently modified. Also, if it is necessary, the Board in its ruling or rulings on the pending filings intends to waive the portion of 199 IAC 7.2(10) that provides an application cannot be rejected after docketing.

After the Board rules on Interstate Power's and Community Coalition's pending filings, consumer comment hearings will be scheduled. The hearings are not being scheduled in this order because the timing of the hearings depends on the Board's rulings.

**IT IS THEREFORE ORDERED:**

1. An investigation is instituted to determine the reasonableness of Interstate Power and Light Company's proposed tariffs, identified as TF-02-127 and TF-02-128. This matter will be identified as Docket No. RPU-02-3, a formal contested case proceeding. Tariff filings TF-02-127 and TF-02-128 are suspended. In the absence of extraordinary circumstances, the expenses reasonably attributable to this investigation shall be assessed to Interstate Power in accordance with Iowa Code § 476.10.

2. The following procedural schedule is established:

a. The parties shall notify the Board prior to August 15, 2002, if they desire a prehearing conference.

b. Consumer Advocate and any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before July 29, 2002. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.

c. If Consumer Advocate and any intervenors find it necessary to file testimony in rebuttal to each other's direct testimony, they may file rebuttal testimony on or before August 19, 2002.

d. Interstate Power shall file its rebuttal testimony, with underlying workpapers and exhibits, on or before September 6, 2002.

e. Consumer Advocate and any intervenor shall file rebuttal testimony on any issues raised initially in that party's direct testimony and responded to by another party, on or before September 20, 2002.

f. The parties shall file a joint statement of the issues on or before September 22, 2002.

g. All parties that choose to file a prehearing brief may do so on or before September 22, 2002.

h. A hearing shall be held beginning at 9 a.m. on October 22, 2002, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Iowa Utilities Board's Hearing Room, 350 Maple Street, Des Moines, Iowa. The parties shall appear one-half

hour prior to the time of the hearing for the purpose of marking exhibits.

Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

i. The parties may file simultaneous initial briefs on or before November 18, 2002.

j. All parties who filed initial briefs may file reply briefs on or before December 2, 2002.

3. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

4. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination which have not been previously filed shall become a part of the evidentiary record of these proceedings. The party making reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

5. In the absence of objection, when the Board has called for further evidence on any issue and the evidence is filed after the close of the hearing, the evidentiary record will be reopened and the evidence will become part of the record five days after the evidence is filed with the Board. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of the hearing in this proceeding.

6. Interstate Power and Light Company shall file the information identified in this order as soon as it is available.

7. The petitions to intervene filed by the Lee County Governmental Group, Deere & Company, and the Community Coalition for Rate Fairness are granted.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 26th day of April, 2002.